IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION.

WRIT PETITION NO.4384 OF 2005

Sou Housabai Bhaguji Bondre
and ors.
.. Petitioners.

Vs

Sou Vimal @ Rajashree Bharat
Bondre and ors. .. Respondents.

Mr Dilip Bodake,for the petitioners.
Mr Vishwanath S Talkate, for the respondents.

CORAM : D.B.BHOSALE,J.
DATE : 12.10.2006

PC:

1. Heard the learned counsel for the parties.

2. By this writ petition, the petitioners have impugned the order dated 6.4.2005, by which the application filed by the decree-holders has been allowed and the Court has ordered attachment of Gat no.164/4. I perused the impugned order. Mr Bodake, learned counsel for the petitioners, submitted that all the petitioners have share in the property and there cannot be any attachment insofar as their shares are concerned. The decree is only against the husband of respondent no.1 and the share of the husband alone ought to have been attached. It appears that originaly Gat No.164/4 was standing only in the name of the husband of respondent no.1, who transferred this property in the name of other

members of his family only with a view to defeat the right of the judgment debtor and taking that into account the court below has passed the impugned order. In my opinion, there is absolutely no infirmity in the order warranting interference by this court under Article 227 of the Constitution of India. The writ petition is accordingly dismissed. The execution is expedited.

(D.B.BHOSALE,J.)